

**EIGHTY-SEVENTH GENERAL ASSEMBLY  
2018 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

**March 13, 2018**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">HF 2394</a> .....	<a href="#">H-8254</a> .....	Filed	OLSON of Polk
<a href="#">HF 2394</a> .....	<a href="#">H-8255</a> .....	Filed	OLSON of Polk
<a href="#">HF 2394</a> .....	<a href="#">H-8256</a> .....	Filed	OLSON of Polk
<a href="#">HF 2458</a> .....	<a href="#">H-8253</a> .....	Filed	BEST of Carroll
<a href="#">HF 2469</a> .....	<a href="#">H-8251</a> .....	Filed	SEXTON of Calhoun
<a href="#">HF 2469</a> .....	<a href="#">H-8252</a> .....	Filed	STECKMAN of Cerro Gordo
<a href="#">SF 2329</a> .....	<a href="#">H-8250</a> .....	Filed	VANDER LINDEN of Mahaska, et al

**Fiscal Notes**

[HF 2441](#) — [School District Program Funding Flexibility](#) (LSB6139HV.1)

[HF 2467](#) — [School Student Lunches, Food Shaming](#) (LSB5528HV.1)

HOUSE FILE 2394

H-8254

1 Amend House File 2394 as follows:

2 1. By striking page 1, line 6, through page 3, line 6, and  
3 inserting:

4 <a. Information or communication systems.

5 b. Financial or banking systems.

6 c. Property of a supplier of gas, electric, steam, water,  
7 sanitation, communication services to the public, any public  
8 utility service, including the power energy and water supply  
9 systems, or sewage and water treatment systems.

10 d. Public or private health care facilities and systems, and  
11 emergency, fire, medical, or law enforcement response systems.

12 e. Any other government operations or services.>

By OLSON of Polk

H-8254 FILED MARCH 12, 2018

HOUSE FILE 2394

H-8255

1 Amend House File 2394 as follows:

2 1. Page 3, lines 7 and 8, by striking <relating to critical  
3 infrastructure property> and inserting <relating to critical  
4 infrastructure property that results in property damage to  
5 critical infrastructure property of at least one hundred  
6 thousand dollars>

By OLSON of Polk

H-8255 FILED MARCH 12, 2018

HOUSE FILE 2394

H-8256

1 Amend House File 2394 as follows:

2 1. Page 3, line 12, after <duties.> by inserting <The term  
3 *"substantial interruption or impairment of service rendered to*  
4 *the public"*, as used in this definition, shall not be construed  
5 to prohibit picketing, public demonstrations, and similar forms  
6 of expressing ideas or views regarding legitimate matters  
7 of public interest protected by the United States and Iowa  
8 Constitutions.>

By OLSON of Polk

H-8256 FILED MARCH 12, 2018

HOUSE FILE 2458

H-8253

- 1 Amend House File 2458 as follows:
- 2 1. Page 2, line 18, after <board> by inserting <or a
- 3 community college>
- 4 2. Page 5, line 5, by striking <261.130 and 261.131> and
- 5 inserting <261.131 and 261.132>
- 6 3. Page 5, line 30, by striking <261.130 or 261.131> and
- 7 inserting <261.131 or 261.132>
- 8 4. Page 5, line 32, by striking <261.130> and inserting
- 9 <261.131>
- 10 5. Page 5, line 34, by striking <261.131> and inserting
- 11 <261.132>
- 12 6. Page 6, line 21, by striking <261.130> and inserting
- 13 <261.131>
- 14 7. Page 6, line 23, by striking <261.131> and inserting
- 15 <261.132>
- 16 8. Page 6, line 24, after <7A.> by inserting <In addition
- 17 to the list created by the workforce development board under
- 18 this subsection, each community college, in consultation with
- 19 regional career and technical education planning partnerships,
- 20 and with the approval of the board of directors of the
- 21 community college, may identify and maintain a list of not
- 22 more than five regional high-demand jobs in the community
- 23 college region, and shall share the lists with the workforce
- 24 development board. The lists submitted by community colleges
- 25 under the subsection may be used for purposes of programs
- 26 identified under this subsection.>
- 27 9. Page 6, line 26, after <prioritize> by inserting
- 28 <statewide>
- 29 10. Page 6, line 30, before <determines> by inserting <, or
- 30 a community college in accordance with this subsection,>
- 31 11. Page 6, line 35, by striking <261.130> and inserting
- 32 <261.131>
- 33 12. Page 7, line 1, by striking <261.131> and inserting
- 34 <261.132>
- 35 13. Page 7, line 4, by striking <261.130 and 261.131> and

H-8253 (Continued)

- 1 inserting <261.131 and 261.132>
- 2 14. Page 7, line 6, by striking <261.130 and 261.131> and
- 3 inserting <261.131 and 261.132>
- 4 15. Page 8, line 27, after <board> by inserting <or a
- 5 community college>
- 6 16. Page 9, line 21, by striking <261.130 and 261.131> and
- 7 inserting <261.131 and 261.132>
- 8 17. Page 9, line 24, by striking <261.130 or 261.131> and
- 9 inserting <261.131 or 261.132>
- 10 18. Page 9, after line 33 by inserting:
- 11 <f. Whether the proposal addresses areas of workforce need
- 12 throughout the region.>
- 13 19. Page 10, by striking lines 13 and 14.
- 14 20. Page 10, line 15, by striking <261.130> and inserting:
- 15 <Sec. \_\_\_\_\_. NEW SECTION. 261.131>
- 16 21. Page 12, line 2, after <board> by inserting <or
- 17 community college>
- 18 22. Page 12, line 3, by striking <department removes a
- 19 high-demand job from the list> and inserting <board or a
- 20 community college removes a high-demand job from a list>
- 21 23. Page 16, line 4, by striking <261.131> and inserting
- 22 <261.132>
- 23 24. Page 17, line 24, after <board> by inserting <or
- 24 community college>
- 25 25. Page 17, line 25, by striking <department removes
- 26 a high-demand job from the list> and inserting <board or a
- 27 community college removes a high-demand job from a list>
- 28 26. Page 21, line 7, by striking <created in section 84A.1B>
- 29 and inserting <or a community college pursuant to section
- 30 84A.1B, subsection 13A>
- 31 27. By renumbering, redesignating, and correcting internal
- 32 references as necessary.

By BEST of Carroll

H-8253 (Continued)

H-8253 FILED MARCH 12, 2018

H-8251

1 Amend House File 2469 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. NEW SECTION. **68A.405A Self-promotion with**  
5 **taxpayer funds prohibited.**

6 1. *a.* Except as provided in sections 29C.3 and 29C.6, a  
7 statewide elected official or member of the general assembly  
8 shall not permit the expenditure of public moneys under the  
9 control of the statewide elected official or member of the  
10 general assembly, including but not limited to moneys held in a  
11 private trust fund as defined by section 8.2, for the purpose  
12 of any paid advertisement or promotion bearing the written  
13 name, likeness, or voice of the statewide elected official or  
14 member of the general assembly distributed through any of the  
15 following means:

16 (1) A paid direct mass mailing.

17 (2) A paid radio advertisement or promotion.

18 (3) A paid newspaper advertisement or promotion.

19 (4) A paid television advertisement or promotion.

20 (5) A paid internet advertisement or promotion.

21 (6) A paid exhibit display at the Iowa state fair or a  
22 fairground or grounds as defined in section 174.1.

23 *b.* Except as otherwise provided by law, paragraph "a"  
24 shall not apply to bona fide ministerial or ceremonial records  
25 or ordinary, common, and frequent constituent correspondence  
26 containing the name of the statewide elected official or member  
27 of the general assembly.

28 2. A person who willfully violates this section shall be  
29 subject to a civil penalty of an amount up to the amount of  
30 moneys withdrawn from a public account or private trust fund  
31 as defined in section 8.2 used to fund the communication found  
32 to be in violation of this section by the board or, for members  
33 of the general assembly, by an appropriate legislative ethics  
34 committee. A penalty imposed pursuant to this section shall  
35 be paid by the candidate's committee. Such penalty shall be



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1 determined and assessed by the board or, for a member of the  
2 general assembly, the appropriate legislative ethics committee,  
3 and paid into the account from which such moneys were  
4 withdrawn. Additional criminal or civil penalties available  
5 under section 68A.701 or established by the board pursuant to  
6 section 68B.32A may also be determined and assessed by the  
7 board for violations of this section. Nothing in this section  
8 shall prevent the imposition of any penalty or sanction for a  
9 violation of this section by a legislative ethics committee.>  
10 2. Title page, by striking lines 1 through 4 and inserting  
11 <An Act prohibiting self-promotion with taxpayer funds by  
12 statewide elected officials and members of the general assembly  
13 and imposing penalties.>

By SEXTON of Calhoun

H-8251 FILED MARCH 12, 2018

HOUSE FILE 2469

H-8252

1 Amend House File 2469 as follows:

2 1. Page 1, by striking line 2 and inserting <and sexual  
3 harassment prohibited.>

4 2. Page 3, after line 25 by inserting:

5 <5. Any judgment awarded to a victim as a result of sexual  
6 harassment by a statewide elected official, member of the  
7 general assembly, or local official, or the partisan staff  
8 of such a person, shall be paid by such a person's candidate  
9 committee or the candidate committee of the party of the  
10 partisan staff.>

11 3. Title page, by striking line 4 and inserting  
12 <advertisement and judgments for sexual harassment and imposing  
13 penalties.>

By STECKMAN of Cerro Gordo

H-8252 FILED MARCH 12, 2018

SENATE FILE 2329

H-8250

1 Amend Senate File 2329, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. NEW SECTION. 505.20 Certain organizations  
5 exempt from regulation.

6 1. A health benefit plan, sponsored by an eligible  
7 organization domiciled in this state that meets the  
8 requirements set forth in subsection 2, shall be deemed to  
9 not be insurance pursuant to this subtitle and shall not be  
10 subject to the jurisdiction of the commissioner of insurance  
11 to the extent such health benefit plan, after January 1, 2019,  
12 provides health benefits under a self-funded arrangement that  
13 is administered by an eligible third-party administrator that  
14 meets the requirements set forth in subsection 3.

15 2. An eligible organization providing a health benefit  
16 plan to its members under this section shall meet all of the  
17 following requirements:

18 a. Provide membership opportunities for eligible  
19 individuals.

20 b. Collect annual dues from members.

21 c. Hold regular meetings to further the purposes of the  
22 members.

23 d. Provide members with representation on the organization's  
24 governing board and committees.

25 e. Provide education, mentoring, or financial assistance.

26 f. Contract with an eligible third-party administrator that  
27 meets the requirements set forth in subsection 3 to administer  
28 the health benefit plan. The contract with the eligible  
29 third-party administrator shall provide that the eligible  
30 third-party administrator shall not be responsible for paying  
31 any claims under the health benefit plan that are not funded  
32 by the eligible organization.

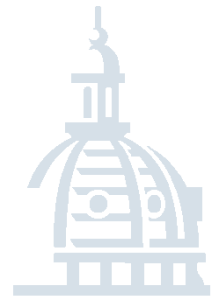
33 3. An eligible third-party administrator administering a  
34 self-funded arrangement under this section shall meet all of  
35 the following requirements:

H-8250 (Continued)

- 1     *a.* Register as a third-party administrator pursuant to  
2 chapter 510.
- 3     *b.* Offer individual health insurance products either  
4 directly or through an affiliate organization.
- 5     4. Prior to providing a health benefit plan to its  
6 members under this section an eligible organization shall  
7 file a certification with the commissioner that the eligible  
8 organization meets all requirements of this section.
- 9     5. The commissioner shall ensure expedited processing of  
10 a third-party administrator registration pursuant to chapter  
11 510 for a third-party administrator administering a self-funded  
12 arrangement under this section.>
- 13     2. Title page, line 2, by striking <agricultural>

By VANDER LINDEN of Mahaska  
PETTENGILL of Benton

H-8250 FILED MARCH 12, 2018



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**HF 2441** – School District Program Funding Flexibility (LSB6139HV.1)  
Analyst: Jocelyn Gerrietts (515.238.2833) [jocie.gerrietts@legis.iowa.gov](mailto:jocie.gerrietts@legis.iowa.gov)  
Fiscal Note Version – As Amended and Passed by the House

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**Description**

**House File 2441** as amended and passed by the House makes several changes regarding the use of funds by school districts. Several sections of the Bill are effective upon enactment. Other sections are applicable to either the FY 2018 or FY 2019 school year. Changes include:

- Early Intervention categorical funds (\$34.9 million in estimated FY 2019, generated through the school aid formula) may be used for any school general fund purpose.
- At-risk and dropout prevention programming will be approved by resolution of a district's school board and modified supplemental aid (MSA) amounts will be submitted to and reviewed by the School Budget Review Committee (SBRC). The SBRC shall grant requests for MSA that meet the school district's approved plans. Plans are to be submitted November 1.
- Specifies that At-risk and Dropout Prevention MSA may be used to pay for staff including but not limited to administrative staff, psychologists, social workers, and school safety personnel.
- Allows At-risk and Dropout Prevention MSA to be used for any purpose that directly benefits students in the adopted program.
- Removes limitations on the length of time allowed for the term of school district property leases.
- Creates additional allowable uses for unspent balances in school districts' Child Care Enterprise Fund.
- Clarifies allowed uses of Home School Assistance Program funds.

**Background**

***Early Intervention***

Iowa Code chapter [256D](#), (Early Intervention Block Grant) is scheduled to sunset on July 1, 2018 (FY 2019). The funding for the Program is generated as specified under Iowa Code section [257.10\(11\)](#) (Early Intervention Supplement), which will continue and is not impacted by the repeal of Iowa Code chapter [256D](#). The Bill removes the requirement that the funding generated under Iowa Code section [257.10\(11\)](#) be used pursuant to Iowa Code chapter [256D](#). If this requirement is not removed, beginning in FY 2019, school districts will no longer be able to expend the funding generated under Iowa Code section [257.10\(11\)](#) due to the repeal of Iowa Code chapter [256D](#). Department of Education administrative rules regarding the funds will remain in the Administrative Code, although they will no longer have any legal effect. Once the statute authorizing these rules is repealed, the Department will need to rescind the rules through the normal rulemaking process.

Goals of the Early Intervention Supplement/Block Grant are:

- To provide resources for K-3 classrooms to reduce class sizes in basic skills instruction to the State goal of one teacher per 17 students in that grade range.
- To achieve a higher level of student success in basic skills, especially reading skills.
- To increase communication and accountability regarding student performance.

Funding currently may be expended for the following:

- Additional licensed instructional staff.
- Additional support for students, such as before and after school programs, tutoring, and intensive summer programs.
- Acquisition and administration of diagnostic reading assessments.
- Implementation of research-based instructional intervention programs for students needing additional support.
- Implementation of all-day, every-day kindergarten programs.
- Providing classroom teachers with professional development and intensive training programs in best practices to improve reading instruction, including but not limited to training programs related to instruction to increase students' phonemic awareness, reading abilities, and comprehension skills.

### ***At-risk and Dropout Prevention Programming***

Funding for At-risk and Dropout Prevention programming is generated in two ways: through the school aid formula with a supplementary weighting model and through MSA amount. The supplementary weighting for at-risk students provides additional funding to school districts for providing programs that serve at-risk students and alternative school students through the school aid formula. The calculation for supplementary weighting is outlined in Iowa Code section [257.11\(4\)](#) and is based on the school district's total enrollment and the number of students in grades 1 through 6 who are eligible for free or reduced price lunch. School districts may also request At-risk and Dropout Prevention MSA, which is generated by property taxes. The maximum allowable request varies by district, and is between 2.5% and 5.0% of the district's regular program cost as required by Iowa Code section [257.41\(3\)](#). Program funding must consist of up to 75.0% of the MSA and at least 25.0% from the district cost generated through the school aid formula.

### ***Child Care Fund***

The Child Care Fund is a school district enterprise fund created under Iowa Code chapter [298A](#), which must be established by any district receiving money for the purpose of offering a child care program. There are some districts that have remaining balance from the fees collected from parents and families for the purpose of offering child care. This provision allows districts to transfer the additional balance, after completing a public hearing, to the district's general fund.

As of FY 2017, 71 school districts had established Child Care Funds. Twenty-nine of the funds have reported positive balances, totaling an estimated \$3.4 million Statewide.

### **Fiscal Impact**

There is no expected fiscal impact to the State, for any of the Bill's provisions.

School districts will be allowed to expend funding generated by the Early Intervention Categorical Supplement for any school general fund purpose in FY 2019 and future years.

School districts may generate a different amount of MSA for At-risk and Dropout Prevention programming based on changes, but the impact on property taxes cannot be determined at this time.

School districts will be able to transfer unused Child Care Funds to the districts' general fund.

**Sources**

Department of Education  
Department of Management  
LSA analysis and calculations

/s/ Holly M. Lyons

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March 12, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**HF 2467** – School Student Lunches, Food Shaming (LSB5528HV.1)  
Analyst: Josie Gerrietts (515.238.2833) [josie.gerrietts@legis.iowa.gov](mailto:josie.gerrietts@legis.iowa.gov)  
Fiscal Note Version – As Amended and Passed by the House

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## **Description**

[House File 2467](#) as amended and passed by the House has two sections regarding student lunch debt in Iowa schools:

- Section 1 allows school districts to seek setoff for certain lunch debt pursuant to Iowa Code section [8A.504](#).
- Section 2 requires school districts to provide information twice annually to all parents and guardians regarding the application process for Free and Reduced Meals, and additionally if a student owes lunch debt for five or more meals. This section also encourages school districts to provide a reimbursable meal to any student requesting it; makes provisions prohibiting publicly identifying students with lunch debt; allows districts to create an unpaid student meals account into which they may deposit moneys received from outside sources for paying student meal debt; and requires the Department of Education to work with school districts on creating a model of best practices.

The Bill is effective July 1, 2018.

## **Background**

There are an estimated 433 School Food Authorities (SFAs) in the State, made up of the 333 school districts and 100 nonpublic schools. Currently, school districts are not required to offer meals to students with negative meal account balances; school boards are required to maintain policies regarding the handling of students with meal debt. Public schools in Iowa served an estimated 17.0 million breakfasts and 62.3 million lunches in FY 2017. In that year, if all students had eaten school lunch every day of the 180-day school year, there would have been 87.0 million lunches served.

In order to be compliant with the U.S. Department of Agriculture's (USDA) requirements for the National School Lunch Program (Free and Reduced Lunch Program), SFAs provide information annually to all parents and guardians regarding free and reduced lunch. Some school districts may already notify families multiple times of the program application process, and many districts complete targeted follow-up with families that have lapsed applications.

## **Assumptions**

### **Section 1**

- Districts will be unable to retrieve funds under the described setoff procedure in Section 1 because they do not have access to parents' Social Security numbers. It is assumed districts will not use additional staff time if they are not able to use the setoff procedure.



## **Section 2**

- School Food Authorities already notify families of the Free and Reduced Lunch Program at least once in order to meet USDA requirements; a second notification may incur additional cost if districts are not already notifying a second time.
- Increased staff time will be needed to sort and identify the students with more than five unpaid meals and to subsequently contact these families each week of the school year.
- It is assumed that both the second notification and notification after five or more unpaid meals will be completed by a clerical staff member, at an estimated cost of \$12 per hour.
- School Food Authorities that participate in the USDA's Free and Reduced Lunch Program are required to offer meals at cost. It is estimated that reduced-price breakfasts cost \$0.30 per meal to districts; reduced-price lunches cost \$0.40 per meal. This is the total that would not be reimbursed if the meal remained unpaid.
- It is estimated that full-price breakfasts cost \$1.50 per meal; full-price lunches cost \$2.75 per meal. These costs will vary by school district.

## **Fiscal Impact**

The estimated increase in cost in staffing across all SFAs is \$245,600, or an estimated average of \$570 per SFA. This includes an estimated \$58,500 for the second notification regarding the Free and Reduced Lunch Program: 217 hours of staff time to produce and send the notification and the cost of sending the notification. The total also includes \$187,100 for the account monitoring and notification for students with more than five unpaid meals; this total assumes that account monitoring and notification take 433 hours, or an hour per week per SFA for 36 weeks. It is possible that some of the SFAs will be able to complete the extra work with staff already available; however, this will be dependent on the SFA's staffing levels.

The offering of a reimbursable meal to students with meal debts is not mandatory, and it is not possible to determine at this time how many SFAs may choose to participate in such a model.

## **Sources**

Department of Education  
LSA analysis and calculations

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/s/ Holly M. Lyons

March 12, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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